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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

JEROME CARTER,

Defendant and Appellant.

B242667

(Los Angeles County
Super. Ct. No. TA123336)

APPEAL from a judgment of the Superior Court of Los Angeles County, Joel M. Wallenstein, Commissioner. Affirmed.

Jerome Carter, in pro. per.; Jonathan B. Steiner and Richard B. Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Respondent.

The record contains no discussion of the underlying factual circumstances of appellant Jerome Carter's conviction. A felony complaint charged appellant with possession of a firearm by a felon. (Pen. Code, § 29800, subd. (a)(1).¹) Five prior felony convictions were also alleged as prior prison terms. (§ 667.5, subd. (b).)

Appellant waived his preliminary hearing and trial rights and pleaded no contest to the gun possession charge. He was sentenced to the mid-term of two years in state prison. The court imposed the requisite fines and fees and awarded presentence credits.

Appellant filed a notice of appeal from the sentence and post-plea matters. The trial court denied appellant's request for a certificate of probable cause, and the appeal was dismissed as inoperative. This appeal lies only to the extent appellant is able to demonstrate sentencing or other post-plea errors which do not impact the validity of his plea. (§ 1237.5; Cal. Rules of Court, rule 8.304(a)(1), (b)(4)(B).)

We appointed counsel to represent appellant on appeal. After examination of the record, appellant's counsel filed an opening brief raising no issues, and asking us to independently review the record. On October 29, 2012, we advised appellant he had 30 days within which to personally submit, by brief or letter, any contentions or argument he wished us to consider. At appellant's request, we extended that deadline to December 26, 2012.

On December 31, 2012, appellant submitted an untimely supplemental "Motion for to Expand the Record Under Rule 7 of the Rules Governing Section 2254 Cases" (Motion). It is difficult to ascertain the relief appellant seeks in that Motion. He appears to assert that individual justices of this court, among others, are witnesses to violations of his due process rights, including the withholding by the attorney general or the district attorney, of "court records . . . relevant to a determination of the claims," which resulted in his allegedly improper indictment, prosecution and plea. Nothing in appellant's Motion relates to sentencing or other post-plea errors unrelated to the validity of his plea.

¹ All further statutory references are to the Penal Code unless otherwise indicated.

We have reviewed appellant's supplemental Motion and have examined the entire record. We are satisfied that appellant's counsel fully complied with his responsibilities, and that no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

DISPOSITION

The judgment is affirmed.

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JOHNSON, J.

We concur:

ROTHSCHILD, Acting P. J.

CHANEY, J.